



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application for:

Bruce L. Roberts

Examiner: Richard A. Schnizer

Serial No.: 10/033,145

Group Art Unit: 1635

Filing Date: November 5, 2001

For: **PREPARATION AND USE OF SUPERIOR VACCINES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

CERTIFICATE OF MAILING: Date of Deposit: Nov. 25, 2003

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313

MICHELE SILVER

Printed name of person mailing correspondence

Richard A. Schnizer

Signature of person mailing correspondence

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☐ Before the mailing date of a first Office Action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 07-1074 for any fees required pursuant to 37 C.F.R. § § 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☒ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever comes first, and the Commissioner is hereby authorized to charge Deposit Account No. 07-1074 for the fee (\$180.00) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 more than three months prior to the filing of this Information Disclosure Statement.

## **II. Copies of the Cited Items:**

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are not enclosed:
- ☐ Copies of those items which are marked with an asterisk (\*) in the attached Form PTO-1449 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. \_\_\_\_\_

filed \_\_\_\_\_ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120. See 37 C.F.R. § 1.98(d).

- ☐ Copies of those items which are marked with an asterisk (\*\*) in the attached Form PTO-1449 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

### III. Concise Explanation of Relevance:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

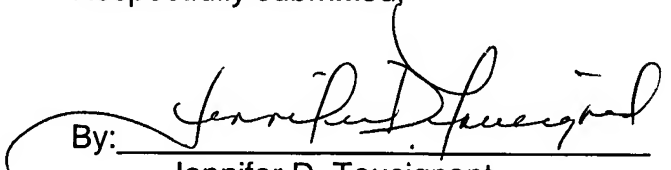
It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. **07-1074** for any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,

November 25, 2003  
Date

By: \_\_\_\_\_

  
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Agent for Applicants  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

Application Number	10/033,145
Filing Date	November 5, 2001
First Named Inventor	Roberts, Bruce L.
Group Art Unit	1635
Examiner Name	Richard A. Schnizer
Attorney Docket Number	GA0201C

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-5,695,937	12-09-1997	Kinzler et al.	
	2	US-			
	3	US-			
	4	US-			
	5	US-			
	6	US-			
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	17	US-			
	18	US-			
	19	US-			
	20	US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	21	EP 0363025	04-11-90	Rsrch Found/ Osaka Univ.		
	22	EP 0431541	12-06-91	Behringwerke		
	23	WO 91/08217	06-13-91	Regents-UCAL		
	24	WO 92/00387	09-01-92	Regents- UMICHIGAN		
	25	EP 0362526	11-04-90	DFCI		
	26	WO90/08160	07-26-90	Imperial Cancer		
	27	EP 0330191	08-30-89	Gnral Hospital Corp.		
	28	WO 89/08254	08-09-89	La Jolla Cancer		
	29	EP 0359919	03-28-90	ML Technology		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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**Group Art Unit**

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		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	30	WO 89/06695	07-27-89	Biogen Inc.		
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**Examiner  
Signature**

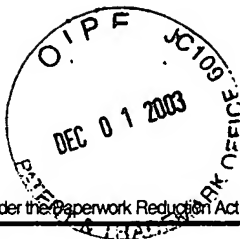
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 3 of 4

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Group Art Unit	1635
Examiner Name	Richard A. Schnizer
Attorney Docket Number	GA0201C

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

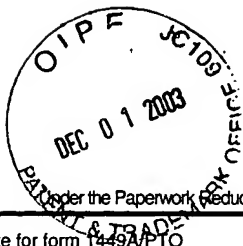
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	39	HIESHIMA et al., "A Novel Human CC Chemokine PARC That Is Most Homologous to Macrophage-Inflammatory Protein-1alpha/LD78alpha and Chemotactic for T Lymphocytes, but Not for Monocytes", The Journal of Immunology, 1997, 159:1140-1149	
	40	IMAI et al., "Molecular Cloning of a Novel T Cell-directed CC Chemokine Expressed in Thymus by Signal Sequence Trap Using Epstein-Barr Virus Vector", The Journal of Biological Chemistry, August 1996, 271(35):21514-21521	
	41	GROHMANN et al. "IL-12 Acts Directly on DC to Promote Nuclear Localization of NF-kB and Primes DC for IL-12 Production", Immunity, September 1998, 9:315-323	
	42	VELCULESCU et al., "Serial Analysis of Gene Expression", Science, October 1995, 270:484-487	
	43	WU et al., "RelB Is Essential for the Development of Myeloid-Related CD8alpha- Dendritic Cells but Not of Lymphoid-Related CD8alpha+ Dendritic Cells", Immunity, December 1998, 9:839-847	
	44	YAMANAKA et al., "CCAAT/enhancer binding proteins are critical components of the transcriptional regulation of hematopoiesis", International Journal of Molecular Medicine, 1998, 1:213-221	
	45	SCHINDLER et al., "Proteins of transcription factors ISGF-3: One gene encodes the 91- and 84-kDa ISGF-3 proteins that are activated by interferon a", Proceedings of the National Academy of Science, August 1992, 89:7836-7839	
	46	WELTE et al., "Granulocyte-macrophage colony-stimulating factor induces a unique set of STAT factors in murine dendritic cells", European Journal of Immunology, 1997, 27(10):2737-2740	
	47	MASUDA et al., "NFATx, a Novel Member of the Nuclear Factor of Activated T Cells Family That Is Expressed Predominantly in the Thymus", Molecular and Cellular Biology, May 1995, 15(5):2697-2706	
	48	BERKHOUT et al., "Cloning, in Vitro Expression, and Functional Characterization of a Novel Human CC Chemokine of the Monocyte Chemotactic Protein (MCP) Family (MCP-4) That Binds and Signals through the CC Chemokine Receptor 2B", The Journal of Biological Chemistry, June 1997, 272(26):16404-16413	
	49	GODISKA et al., "Human Macrophage-derived Chemokine (MDC), a Novel Chemoattractant for Monocytes, Monocyte-derived Dendritic Cells, and Natural Killer Cells", The Journal of Experimental Medicine, May 1997, 185(9):1595-1604	

Examiner Signature	Date Considered
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Sheet 4 of 4

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Group Art Unit	1635
Examiner Name	Richard A. Schnizer
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### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	50	MATSUMOTO et al., "Human Ecalectin, a Variant of Human Galectin-9, Is a Novel Eosinophil Chemoattractant Produced by T Lymphocytes", The Journal of Biological Chemistry, 1998, 273(27):16976-16984	
	51	PROOST et al., "Human monocyte chemotactic proteins-2 and -3: structural and functional comparison with MCP-1", Journal of Leukocyte Biology, 1996, 59(1):67-74	

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